IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE V.V.S.RAO
WRIT PETITION NO : 1306 of 1994

Between:

1 Lakshmi Engineering Co., Represented by its Sole Proprietor Mr.A.Rajaratnam Naidu, S/o.Appalanaidu, Bobbili, Vizianagaram Dist.
2 Sri Umamaheswara Engineering Co., Represented by its Managing Partner Mr.G.Harnath, S/o.Kameswara Rao, Vizianagaram.
3 Siva Engineering Co., a Partnership Firm Represented by its Partner Mr.J.Markandeyulu, S/o.J.Boddohi Rao, Vizianagaram.
4 Siva Prasad General Machinery Stores, a partnership Firm Represented by its Partner Mr.J.Markandeyulu, S/o.J.Boddoji Rao, Vizianagaram.
5 M/s.Chandra Pipes & Electricals, Represented by its Sole Proprietrix Ms.B.Swarajyalaxmi, W/o.Dakshinamurt, Vizianagaram.
6 M/s.Suguna Engineering Co., Represented by its Proprietrix Mr.K.N.Prasad,S/o.Satyanarayana Murthy, Vizianagaram.

..... PETITIONERS

AND

1 The Collector and Chairman Dist Rural Development Agency Vizianagaram.
2 The Project Director Dist Rural Development Agency Vizianagaram.
3 Sri Pavani Engineering Company Vizianagaram.
4 Bindu Engineering company Vizianagaram
5 Kusuma Haranath Engineering company Vizianagaram
6 Sri Sai Motor Enterprises Cheepurupalli, Vizianagaram Dist.
7 Polipalli Agriculturists Cooperative Credit Society Ltd., Polipalli Vizianagaram Dist.
8 Sivaprasad Engineering Company Vizianagaram

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the circular in Rc.No.495/90-A, dated 17-1-1994 issued by the first respondent herein to the Executive Director, S.C.Cooperative Society, Viziangaram, under which the Respondents 3 to 8 herein alone are permitted to supply electric motors and pump sets to various beneficiaries under various schemes identified by the financial institutions other than Banks as illegal, discriminatory and unconstitutional and further direct the respondents 1 and 2 herein to permit the companies of which the petitioners herein are dealers to supply electric motors and Oil engines, as the case may be, to such of the beneficiaries that may require the electric motors or oil engines manufactured by the companies of which the petitioners are authorised dealers and pass such other order or orders.

Counsel for the Petitioner: MR.K.S.R.Murthy

Counsel for the Respondents 1 and 2:G.P. For Agriculture Respondents 3 and 4: Mr.K.Raghuveer Reddy

Respondents 5 to 8: None appeared.

The Court Made the Following
ORDER:

Sri K.S.R.Murthy, learned counsel for the petitioners, submits that the Writ Petition has become infructuous. The Writ Petition is accordingly dismissed as infructuous. However, the question raised in this Writ Petition whether Government can compel the beneficiaries of a welfare scheme to buy machinery like electrical motors only from a selected manufacturers is left open. No costs.

_____

(V.V.S.RAO, J)

18.6.2004

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Collector and Chairman, Dist Rural Development Agency Vizianagaram.
2 The Project Director, Dist Rural Development Agency Vizianagaram.
3. 2 CCs to G.P. for Agriculture, High Court of A.P., Hyderabad
4. 2 CD copies

bnr

Form-NIC-OGS/WP{*CHP****}***